



**CITY OF CORNING  
CLOSED SESSION MINUTES  
TUESDAY, DECEMBER 13, 2011  
CITY COUNCIL CHAMBERS  
794 THIRD STREET**

**A. CALL TO ORDER: 6:30 p.m.**

**B. ROLL CALL:**

**Council:**

**Toni Parkins  
John Leach  
Darlene Dickison  
Dave Linnet  
Gary Strack**

**Mayor:**

All members of the Council were present except Councilor Parkins.

The **Brown Act** requires that the Council provide the opportunity for persons in the audience to briefly address the Council on the subject(s) scheduled for tonight's closed session. Is there anyone wanting to comment on the subject(s) the Council will be discussing in closed session? If so, please come to the podium, identify yourself and give us your comments.

**C. PUBLIC COMMENTS: No comments were received.**

**D. ADJOURN TO CLOSED SESSION: 6:31 p.m.**

**CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO SECTION 54957.6:**

**Agency Negotiator: William May, Labor Relations Consultant**

**Management, Dispatch and Public Safety Employees Bargaining Units**

**E. RECONVENE SPECIAL MEETING AND REPORT ON CLOSED SESSION: 7:30 p.m.**

Met with Labor Negotiator by phone and discussed mediated proposal for the Public Safety Unit.

**F. ADJOURN TO REGULAR MEETING OF THE CITY COUNCIL: 7:30 p.m.**



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Mayor:

All members of the Council were present except Councilor Parkins.

C. PLEDGE OF ALLEGIANCE: Led by the City Manager.

D. INVOCATION: Led by Councilman John Leach.

Persons of no religious persuasion will not be expected in any manner to stand or to participate other than to remain quiet out of respect for those who do choose to participate.

E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS:

Presentation of Business/Employer of the Month Awards:

BUSINESS OF THE MONTH:

Ron's Body Shop

EMPLOYER OF THE MONTH:

Sav-Mor Foods

Ron's Body Shop owner Ron Boles was present to accept the award for Business of the Month and Sav-Mor Foods Store Manager Pamela Johnston accepted the Employer of the Month award.

1. **Announcement by Am Vets Commander Mike Clay on the Toys for Tots Program in Corning.** Mr. Clay was not present.

F. BUSINESS FROM THE FLOOR: None.

G. CONSENT AGENDA: It is recommended that items listed on the Consent Agenda be acted on simultaneously unless a Councilmember or members of the audience requests separate discussion and/or action.

2. **Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
3. **Waive the Reading and Approve the Minutes of the November 22, 2011 Regular City Council Meeting with any necessary corrections:**
4. **December 7, 2011 Claim Warrant - \$255,573.14.**
5. **December 7, 2011 Business License Report.**
6. **November 2011 Treasurer's Report.**
7. **November 2011 Wages and Salaries - \$412,996.68.**
8. **November 2011 Building Permit Valuation Report - \$102,570.**
9. **City of Corning Wastewater Operations Summary Report – November 2011.**
10. **Approve Contract Change Order No. 3 to increase project costs by \$6,733.78, and Progress Pay Estimate No. 5 in the amount of \$6,238.51 to Trent Construction for the Clark Park Municipal Water Well Project; total project costs will be \$613,337.78.**

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11. **Approve Cancellation of the December 27, 2011 City Council Meeting due to the Christmas Holiday.**
12. **Approve Resolution No. 12-13-2011-04, a Resolution accepting dedication of Public Property from Maria Martha Sanchez and Jose Luis Damian for Phase 2 of the South Avenue Interchange Project.**
13. **Approve Contract Change Order No. 1 in the amount of \$6,211.20 and Progress Pay Estimate No. 1 in the amount of \$206,389.08 for the 2011 Street Paving Project.**

Mayor Strack introduced each item on the Consent Agenda by title. Councilor Leach requested to pull Consent Item 13 for further discussion.

Councilor Leach moved to approve Consent Items 2-12 and Councilor Dickison seconded the motion. **Ayes: Strack, Leach, Dickison and Linnet. Opposed/Abstain: None. Absent: Parkins. Motion was approved by a 4-0 vote with Parkins absent.**

#### **H. ITEMS REMOVED FROM THE CONSENT AGENDA:**

13. **Approve Contract Change Order No. 1 in the amount of \$6,211.20 and Progress Pay Estimate No. 1 in the amount of \$206,389.08 for the 2011 Street Paving Project.**

Councilor Leach asked if the Contract Change Order was for the traffic loops; Public Works Director John Brewer responded stating no it was for the additional paving.

Councilor Leach moved to approve Progress Pay Estimate No. 1 in the amount of \$206,389.08 and approve Contract Change Order No. 1 in the amount of \$6,211.20 increasing the project cost to \$239,227.95 for the 2011 Street Paving Project. Councilor Linnet seconded the motion. , approved by 4-0 vote with Parkins absent. **Ayes: Strack, Leach, Dickison and Linnet. Opposed/Abstain: None. Absent: Parkins. Motion was approved by a 4-0 vote with Parkins absent.**

Mayor Strack complemented PW's on the outstanding paving job and emphasized the cost of such a project to the public.

#### **I. PUBLIC HEARINGS AND MEETINGS: None.**

#### **J. REGULAR AGENDA:**

14. **Adopt Resolution 12-13-2011-02, a Resolution adopting a Labor Compliance Program for the City of Corning for projects subject to prevailing wage requirements.**

Mayor Strack introduced by title and clarified with Planning Director Stoufer that this is related to the new Park Project. Mr. Stoufer replied that this is a requirement of the State for the Park Grant. Councilor Dickison moved to approve Resolution 12-13-2011-02, a Resolution adopting a Labor Compliance Program for the City of Corning. Councilor Leach seconded the motion. **Ayes: Strack, Leach, Dickison and Linnet. Oposed/Abstain: None. Absent: Parkins. Motion was approved by a 4-0 vote with Parkins absent.**

15. **Appoint Vice Mayor and City Representatives to the various Commissions and Committees.**

Councilor Dickison moved to appoint Councilor Leach as Vice Mayor. Councilor Linnet seconded the motion. **Ayes: Strack, Dickison and Linnet. Opposed: None. Abstain: Leach. Absent: Parkins. Motion was approved by a 3-0 vote with Parkins absent and Leach abstaining.**

After further discussion the following committee appointments were made by consensus of the Council:

3Core & Graffiti Abatement– Linnet

All others committee representatives will remain the same.

**16. Ratify the one-year Memorandum of Understanding (MOU) between the City and the Corning Management Association and approve the Furlough Side Letter.**

Mayor Strack introduced this item by title. Mayor Strack stated that the employees in this Unit were extremely understanding of the Cities financial position and didn't ask for much. He clarified that the main issues addressed in the MOU were:

- **Term:** One-year period (January 1, 2012 – December 31, 2012).
- **Contained no employee raises.**
- **Continues furloughs through December 31, 2012.**

Councilor Leach moved to ratify the Memorandum of Understanding between the City and the Corning Management Association and approve the Furlough Sideletter. Councilor Linnet seconded the motion. **Ayes: Strack, Leach, Dickison and Linnet. Opposed/Abstain: None. Absent: Parkins. Motion was approved by a 4-0 vote with Parkins absent.**

**17. Ratify the one-year Memorandum of Understanding between the City and the Corning Dispatchers Association and approve the Furlough Side Letter.**

Mayor Strack introduced this item by title. He clarified that the main issues addressed in the MOU were:

- **Term:** one-year term (January 1, 2012 through December 31, 2012).
- **Contained no employee raises.**
- **Retirement Changes:** Changes the retirement formula for those hired after ratification of the MOU to 2% @ 60 based upon 3-year average salary, and clarifies that these employees will pay 3.5% of the 7% employee share retirement costs. The MOU also clarifies that the furloughs are to continue from January 1, 2012 through December 31, 2012.

Councilor Dickison moved to ratify the Memorandum of Understanding between the City and the Corning Dispatch Association and approve the Furlough Sideletter. Councilor Linnet seconded the motion. **Ayes: Strack, Leach, Dickison and Linnet. Opposed/Abstain: None. Absent: Parkins. Motion was approved by a 4-0 vote with Parkins absent.**

**18. Ratify the one-year Memorandum of Understanding between the City and the Corning Public Safety Unit and approve the Furlough Side Letter.**

Mayor Strack introduced this item by title. He clarified that as with the Management & Dispatch Associations MOU's, the main issues addressed were:

- **Term:** One-year period (January 1, 2012 through December 31, 2012).
- **Retirement Formula:** Retirement rate for Public Safety Unit Members hired after the ratification of the MOU will change to a 3% @ 55 formula based on 3-year average salary and these employees will also be required to pay one half (4.5%) of the employees 9% share of retirement costs.
- **Furloughs:** Furloughs are to continue from January 1, 2012 through December 31, 2012.

Councilor Linnet moved to ratify the Memorandum of Understanding between the City and the City of Corning Public Safety Unit and approve the Furlough Sideletter. Councilor Leach seconded the motion. **Ayes: Strack, Leach, Dickison and Linnet. Opposed/Abstain: None. Absent: Parkins. Motion was approved by a 4-0 vote with Parkins absent.**

Mayor Strack once again stated that the City employees really stepped forward and stated that he and the Council appreciate it.

**19. Adopt Resolution 12-13-2011-01 Authorizing the submittal of an application for the Solano Street Streetscape Transportation Enhancement (TE) Project.**

Mayor Strack introduced this item by title and Public Work's Director John Brewer explained that this is a resubmittal of the 2005 application however this project application includes the pavement and a 5 foot bicycle lane that wasn't included in the original application. Mr. Brewer explained that this application submittal is through the Tehama County Transportation Commission and

explained that they have determined this to be a priority one project. The project will be funded through Transportation Enhancement money (Federal Funds).

City Manager Kimbrough acknowledged the hard work of John Brewer and City Engineer Ed Anderson, as well as that of previous Public Works Director Tom Russ and City Consultant Roger Klem.

Councilor Linnet asked why the project is projected to end at Hoag Street rather than continuing to Houghton Avenue. Mr. Brewer explained that the section between Hoag Street and Houghton Avenue wasn't included in the original application.

Councilor Dickison moved to find that the Solano Streetscape Project is exempt from CEQA pursuant to CEQA Guidelines Section 15301(C), and adopt Resolution 12-13-2011-01, a Resolution to approve the application for the Solano Street Streetscape Transportation Enhancement Project. Councilor Leach seconded the motion. **Ayes: Strack, Leach, Dickison and Linnet. Opposed/Abstain: None. Absent: Parkins. Motion was approved by a 4-0 vote with Parkins absent.**

**20. Adopt Resolution No. 12-13-2011-05 Approving an Amended and Restated Valic Deferred Comp. Plan.**

Mayor Strack introduced this item by title. He asked if the City had very many employees participating in this plan; City Manager Kimbrough responded stating not all employees participate in the program. He stated that currently the City has 3 different plans and doesn't contribute to any on behalf of the employees, however not all employees participate.

Councilor Leach moved to adopt Resolution 12-13-2011-05, a Resolution amending and adopting a restatement of the Valic Deferred Compensation Plan of the City of Corning. Councilor Linnet seconded the motion. **Ayes: Strack, Leach, Dickison and Linnet. Opposed/Abstain: None. Absent: Parkins. Motion was approved by a 4-0 vote with Parkins absent.**

**21. Adopt Resolution No. 12-13-2011-03, A Resolution of Intention to Approve an Amendment to the Contract between the Board of Administration of the California Public Employees Retirement System and the City Council, and Introduce Ordinance 649, an Ordinance to Amend the Retirement Contract for Newly Hired Police Officers and Miscellaneous Employees.**

Mayor Strack introduced this item by title and explained that this was necessary in order to implement the new retirement changes.

Councilor Dickison moved to adopt Resolution 12-13-2011-03, a Resolution of intention to approve an amendment to the contract between the Board of Administration of the California Public Employees Retirement System and the City of Corning, and conduct the first reading of Ordinance 649, an Ordinance to amend the Retirement Contract for newly hired Police Officers and Miscellaneous Employees. Councilor Leach seconded the motion. **Ayes: Strack, Leach, Dickison and Linnet. Opposed/Abstain: None. Absent: Parkins. Motion was approved by a 4-0 vote with Parkins absent.**

**K. ITEMS PLACED ON THE AGENDA FROM THE FLOOR: None.**

**L. COMMUNICATIONS, CORRESPONDENCE AND INFORMATION: None.**

**M. REPORTS FROM MAYOR AND COUNCIL MEMBERS: City Councilmembers will report on attendance at conferences/meetings reimbursed at City expense (Requirement of Assembly Bill 1234).**

**Parkins:** Absent.

**Leach:** None.

**Dickison:** Reported that the LAFCO meeting was canceled due to lack of agenda. She stated that the Corning Community Foundation is selling raffle tickets for a birdhouse built and

donated by former City Building Official Jack Alexander. Proceeds from the raffle will go towards the Theater restoration project.

**Linnet:** Reported on latest graffiti in town.

**Strack:** None.

**N. ADJOURNMENT!: 8:02 p.m.**

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**Lisa M. Linnet, City Clerk**